

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1 - HB 2

April 23, 2021

**SUMMARY OF ORIGINAL BILL:** Requires the Commissioner of the Department of Commerce and Insurance (DCI) to establish an independent dispute resolution process that ensures a fair reimbursement for out-of-network services. Implements a balance bill prohibition for emergency services in an out-of-network facility and for facility-based non-emergency services. Creates opportunities for transparency and notice to a patient of unexpected medical bills that arise from receiving care from out-of-network providers. Effective January 1, 2023.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

Other Commerce Impact – Due to multiple unknown factors, an exact impact to commerce and jobs cannot be reasonably determined.

**SUMMARY OF AMENDMENT (007481):** Deletes all language after the enacting clause. Beginning January 1, 2022, adopts the federal *No Surprises Act* (26 U.S.C. § 9816) for application within Tennessee to hold patients harmless from incurring a surprise medical bill as provided in the federal *No Surprises Act*.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation does not apply to any Division of TennCare programs; therefore, any fiscal impact is estimated to be not significant.
- The proposed legislation does apply to the Division of Benefits Administration plans; however, any impact is dependent on the independent dispute resolution entity. It is assumed any realized savings will be offset by any increased expenses. The net impact is estimated to be not significant.
- DCI can accommodate the proposed legislation utilizing existing resources; therefore, any fiscal impact is estimated to be not significant.

## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumption for the bill as amended:

- Due to multiple unknown factors, such as amount of services billed, what amount will be determined to be paid, and how many claims would be impacted, an exact impact to commerce and jobs cannot be reasonably determined.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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